

COUNCIL COMMUNICATION

TO: THE CITY COUNCIL
FROM: THE CITY MANAGER'S OFFICE

COUNCIL MEETING DATE:
JANUARY 16, 1991

SUBJECT: ADOPTION OF ORDINANCE NO. 1505, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF LODI AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM, THEREBY AMENDING LODI MUNICIPAL CODE CHAPTER 2.48

RECOMMENDED ACTION: Following reading by title, it would be appropriate for the City Council to adopt Ordinance No. 1505.

BACKGROUND INFORMATION: Ordinance No. 1505 entitled, "An Ordinance of the City Council of the City of Lodi Authorizing an Amendment to the Contract Between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System, Thereby Amending Lodi Municipal Code Chapter 2.48" was introduced at the December 19, 1990 City Council meeting.

At the December 19, 1990 City Council meeting, the City Council also adopted Resolution No. 90-195 - "A Resolution of Intention to Approve an Amendment to the Contract Between the Board of Administration of the Public Employees' Retirement System (PERS) and the City Council of the City of Lodi" to provide third level of 1959 Survivor Benefits for local miscellaneous members and local safety members and one year final compensation for local fire members only.

State of California Government Code Section 20460 requires a 20-day period between the adoption of the Resolution of Intention and the final action.

This ordinance has been approved as to form by the City Attorney.


Alice M. Reimche
City Clerk

AMR/jmp

ORDINANCE NO. 1505

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LODI
AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL
OF THE CITY OF LODI AND THE BOARD OF ADMINISTRATION OF THE
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM,
THEREBY AMENDING LODI MUNICIPAL CODE CHAPTER 2.48

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1: Lodi Municipal Code Chapter 2.48 - Retirement System - is hereby
amended as follows:

SECTION 2:

That an amendment to the Contract between the City Council of the City
of Lodi and the Board of Administration, California Public
Employees' Retirement System is hereby authorized, a copy of said
amendment being attached hereto, marked "Exhibit A", and by such
reference made a part hereof as though herein set out in full.

SECTION 3:

The Mayor of the City of Lodi is hereby authorized, empowered, and
directed to execute said amendment for and on behalf of said Agency.

SECTION 4:

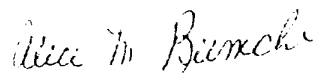
This Ordinance shall take effect 30 days after the date of its
adoption, and prior to the expiration of 10 days from the passage
thereof shall be published at least once in the Lodi News Sentinel,
a newspaper of general circulation, published and circulated in the
City of Lodi and thenceforth and thereafter the same shall be in
full force and effect.

Approved this 16th day of January 1991



DAVID M. HINCHMAN
Mayor

Attest:



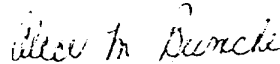
ALICE M. REIMCHE
City Clerk

State of California
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No.1505 was introduced at a regular meeting of the City Council of the City of Lodi held December 19, 1990, and was thereafter passed, adopted and ordered to print at a regular meeting of said Council held January 16, 1991 by the following vote:

Ayes:	Council Members - Pennino, Pinkerton, Sieglock, Snider and Hinchman (Mayor)
Noes:	Council Members - None
Absent:	Council Members - None
Abstain:	Council Members - None

I further certify that Ordinance No. 1505 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.


ALICE M. REIMCHE
City Clerk

Approved as to Form



BOBBY W. McNATT
City Attorney

ORD1505/TXTA.01V

EXHIBIT A

AGREEMENT
AUTHORIZING THE RELEASE OF
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
INTO THE
THIRD LEVEL 1959 SURVIVOR BENEFIT POOL
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF LODI

WHEREAS, the City Council of the City of Lodi has adopted a Resolution of Intention to include in its contract with the Board of Administration, Public Employees' Retirement System, pursuant to Government Code Sections 21380-21387, including Government Code Section 21382.4, the Third Level of 1959 Survivor Benefits for local miscellaneous members and local safety members; and

WHEREAS, Government Code Section 21382.4, requires all assets and liabilities of all contracting agencies subject to this section, and their employees who are covered by this section, to be pooled into a single account;

NOW THEREFORE BE IT AGREED:

Accumulated and/or future contributions required of the City of Lodi and its covered employees are to be released, pursuant to the provisions of Government Code Section 21382.4, to a single account referred to herein as the Third Level 1959 Survivor Benefits Pool.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF LODI

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY 
Presiding Officer

Date 1/18/91

AGREEMENT
AUTHORIZING THE RELEASE OF
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
INTO THE
THIRD LEVEL 1959 SURVIVOR BENEFIT POOL
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
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BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF LODI

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY
Presiding Officer

Date 1/18/61

* * * C O P Y * * *

AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF LODI

PLEASE DO NOT SIGN "EXHIBIT ONLY"

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective June 1, 1966, and witnessed April 27, 1966, and as amended effective May 1, 1970, July 1, 1973 and July 1, 1977, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective July 1, 1977, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for local miscellaneous members and age 50 for local safety members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after June 1, 1966 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).

4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

- a. PERSONS COMPENSATED ON AN HOURLY BASIS WHO
ARE HIRED JUNE 1, 1966 OR THEREAFTER; AND
b. ELECTIVE OFFICIALS.

Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.

6. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21251.13 of said Retirement Law, subject to the reduction provided therein for service prior to June 30, 1977, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 60 Full and Modified).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50 Full).
8. Public Agency elected to be subject to the following optional provisions:
- a. Section 21361.5 (Local System Service Credit Included in Basic Death Benefit).
- b. Section 21222.1 (Special 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
- c. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance) for local miscellaneous members only.
- d. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.4 (Third Level of 1959 Survivor Benefits) for local safety members only.
- e. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous members only.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

- PLEASE DO NOT SIGN "EXHIBIT ONLY"
- f. Section 21298 (Improved Non-Industrial Disability Allowance) for local miscellaneous members only.
 - g. Section 20024.2 (One-Year Final Compensation) for local fire members only.
 9. Public Agency, in accordance with Government Code Section 20740, ceased to be an "employer" for purposes of Section 20759 effective on July 1, 1977. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20759.
 10. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
 11. Public Agency shall also contribute to said Retirement System as follows:
 - a. Public Agency shall contribute \$2.50 per employee, per month on account of the liability for the 1959 Survivor Benefits provided under Section 21382.4 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
 12. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

*** COPY ***

13. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, 19____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF LODI

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
Presiding Officer

Witness Date

Attest: _____

Clerk

PERS-CON-702 (AMENDMENT)
(Rev. 6/88)

PLEASE DO NOT EXHIBIT ONLY

PLEASE DO NOT EXHIBIT ONLY

DECLARATION OF POSTING

On January 4, 1991 in the City of Lodi, San Joaquin County, California, I posted on the following public bulletin boards the attached documents, marked Exhibit A:

- a) City Hall
Council Chambers Bulletin Board
221 West Pine Street
Lodi, CA 95240
- b) Public Safety Building
230 West Elm Street
Lodi, CA 95240

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 2, 1991 at Lodi, California.

ALICE M. REIMCHE
City Clerk

Jennifer M. Perrin

JENNIFER M. PERRIN
Deputy City Clerk



Contract Services Division
P.O. Box 942709
Sacramento, CA 94229-2709
(916) 326-3420
326-3000 (Telecommunications
Device for the Deaf)

Secretary To
City Manager

Reply to Section 220
Public Agency Contract Services
Contract Services Division

November 29, 1990

Employer Code #0626

Ms. Alice M. Reimche
City Clerk
City of Lodi
221 West Pine Street
Lodi, CA 95241-1910

Dear Ms. Reimche:

Enclosed are two copies of the Resolution of Intention to amend the agency's contract to provide Section 21382.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous members and local safety members and Section 20024.2 (One-Year Final Compensation) for local fire members only.

Also enclosed are the following required forms:

1. Form CON-12, Certification of Governing Body's Action.
2. Form CON-12A, Certification of Compliance With Government Code Section 7507.
3. Agreement Authorizing the Release of 1959 Survivor Benefits Assets and Liabilities.
4. Form CON-11A, Sample Ordinance.

The sample Ordinance is a guide only and is included to allow sufficient time to prepare the Ordinance for a first and final reading. The Resolution of Intention and accompanying documents should not be held pending final reading of the Ordinance.

If the agency completes the necessary actions and the contract amendment effective date is prior to July 1, 1991, the cost will be a 1.782% increase to the employer contribution rate for local safety members. The employer contribution rate will reflect the cost of the optional benefit effective July 1, 1992.

Estimate the total payroll for the local safety members effective July 1, 1992 (the date the rate increase is effective) and multiply by 1.782% to determine the cost implications.

California Public Employees' Retirement System
Lincoln Plaza-400 P Street-Sacramento, CA

The employer cost for the Third Level of 1959 Survivor Benefits is \$2.50 per month per covered employee. Agencies are billed annually and payments may vary depending on the funding reserve level. The employee cost is \$2.00 per month.

Government Code Section 7507 requires that the cost implications of the proposed contract amendment be made public at a public meeting at least two weeks prior to the adoption of the final Ordinance. The agency is to certify compliance on the enclosed Certification of Compliance with Government Code Section 7507.

Although the agency is providing a benefit for one safety group, the rate increase applies to the total safety payroll.

Two copies of the Agreement Authorizing the Release of 1959 Survivor Benefits Assets and Liabilities are enclosed for signature. The agreement will acknowledge that public agencies subject to Section 21382.4, Third Level of 1959 Survivor Benefits, will have all assets and liabilities pooled into a single account based on term insurance rates, for local miscellaneous and local safety members.

In summary, the following documents must be returned to this office before we can forward the actual contracts and other final documents necessary for the agency's governing body's final action. **DO NOT HOLD THESE DOCUMENTS PENDING FINAL READING OF THE ORDINANCE.**

ORIGINAL SIGNATURES ARE REQUIRED

1. Resolution of Intention, original or certified copy.
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4. Agreement Authorizing the Release of 1959 Survivor Benefits Assets and Liabilities, two executed copies.

According to the "Anticipated Schedule of Agency Actions", your agency plans to adopt the Resolution of Intention on December 19, 1990. If this date is met, the earliest date the final reading of the Ordinance may be held is January 8, 1991. Government Code Section 20460 requires a 20 day period between the adoption of the Resolution of Intention and the final action. **THERE ARE NO EXCEPTIONS TO THIS LAW.**

The effective date of this amendment may be as early as the day following the effective date of the final action of the governing body.

Section 21382.4, which requires an adjustment of the monthly benefit payments shall become operative the first of the month following the date which is 30 days after receipt of the final documents in the PERS Sacramento office. Public Agency Contract Services will notify the agency of the specific operative date when the executed copy of the amended contract is returned.

If you have any questions regarding this letter or the enclosed material, please do not hesitate to contact me at (916) 326-3615.

Sincerely,



Cynthia L. Wiegman, Retirement Specialist
Public Agency Contract Services
Contract Services Division

CW:de

Enclosures

cc: Sacramento Area Office

Employer Services
Field Services Division

CSD-CON-32 (AMENDMENT)
C0402A (Rev. 3/90)



Contract Services Division
P.O. Box 942709
Sacramento, CA 94229-2709
(916) 326-3420

326-3000 (Telecommunications
Device for the Deaf)

Reply to Section 220
Public Agency Contract Services
Contract Services Division

Employer Code #0626

RECEIVED
NOV 30 1990
CITY CLERK
CITY OF LODI

November 29, 1990

Ms. Alice M. Reimche
City Clerk
City of Lodi
221 West Pine Street
Lodi, CA 95241-1910

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Estimate the total payroll for the local safety members effective July 1, 1992 (the date the rate increase is effective) and multiply by 1.782% to determine the cost implications.

*Make copy for
MIR meeting*

California Public Employees' Retirement System
Lincoln Plaza-400 P Street-Sacramento, CA

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Sincerely,



Cynthia L. Wiegman, Retirement Specialist
Public Agency Contract Services
Contract Services Division

CW:de

Enclosures

cc: Sacramento Area Office

Employer Services
Field Services Division

CSD-CON-32 (AMENDMENT)
C0402A (Rev. 3/90)

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Executed on January 2, 1991 at Lodi, California.

ALICE M. PERRIN
City Clerk


JENNIFER M. PERRIN
Deputy City Clerk



Contract Services Division

P.O. Box 942709

Sacramento, CA 94229-2709

(916) 326-3420

326-3000 (Telecommunications
Device for the Deaf)

Reply to Section 220

Public Agency Contract Services

Contract Services Division

Employer Code #0626

November 29, 1990

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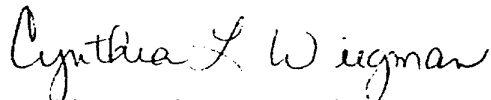
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If you have any questions regarding this letter or the enclosed material, please do not hesitate to contact me at (916) 326-3615.

Sincerely,



Cynthia L. Wiegman, Retirement Specialist
Public Agency Contract Services
Contract Services Division

CW:de

Enclosures

cc: Sacramento Area Office

Employer Services
Field Services Division

CSD-CON-32 (AMENDMENT)
C0402A (Rev. 3/90)

RESOLUTION OF INTENTION
TO APPROVE AN AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF LODI

WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedure to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 21382.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous and local safety members and Section 20024.2 (One-Year Final Compensation) for local fire members only.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between the said governing body and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

BY _____
(NAME)

(TITLE)

(Date adopted and approved)

Ret. Form 122

C0302

Public Employees' Retirement System
Public Agency Contract Services
Contract Services Division - Section 220
Post Office Box 942709
Sacramento, CA 94229-2709
Telephone (916) 326-3420
326-3000 (Telecommunications
Device for the Deaf)

CERTIFICATION OF GOVERNING BODY'S ACTION

I hereby certify that the foregoing is a true and correct copy of a
Resolution adopted by the _____,
(Governing Body)
of the _____,
(Name of Public Agency)
on _____.
(Date)

CITY CLERK or
Secretary of the Board

AGREEMENT
AUTHORIZING THE RELEASE OF
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
INTO THE
THIRD LEVEL 1959 SURVIVOR BENEFIT POOL
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF LODI

WHEREAS, the City Council of the City of Lodi has adopted a Resolution of Intention to include in its contract with the Board of Administration, Public Employees' Retirement System, pursuant to Government Code Sections 21380-21387, including Government Code Section 21382.4, the Third Level of 1959 Survivor Benefits for local miscellaneous members and local safety members; and

WHEREAS, Government Code Section 21382.4, requires all assets and liabilities of all contracting agencies subject to this section, and their employees who are covered by this section, to be pooled into a single account;

NOW THEREFORE BE IT AGREED:

Accumulated and/or future contributions required of the City of Lodi and its covered employees are to be released, pursuant to the provisions of Government Code Section 21382.4, to a single account referred to herein as the Third Level 1959 Survivor Benefits Pool.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF LODI

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
Presiding Officer

Date _____

THIS IS A SAMPLE ORDINANCE AND IS INTENDED TO BE USED AS A GUIDE ONLY. IT IS INCLUDED TO ALLOW YOU SUFFICIENT TIME TO PREPARE YOUR ORDINANCE FOR A FIRST AND FINAL READING. THE RESOLUTION OF INTENTION AND ACCOMPANYING DOCUMENTS SHOULD NOT BE HELD PENDING FINAL READING OF THE ORDINANCE.

ORDINANCE NO. _____

An Ordinance of the _____ of
(Name of Governing Body)
the _____ authorizing an Amendment to
(Name of Public Agency)
the Contract Between the _____ of
(Governing Body)
the _____ and the Board of
(Name of Public Agency)
Administration of the California Public Employees' Retirement System.

The _____ of the
(Name of Governing Body)
_____ does ordain as follows:
(Name of Public Agency)

Section 1.

That an amendment to the Contract between the _____
_____ of the _____
(Name of Governing Body) (Name of Public Agency)
and the Board of Administration, California Public Employees' Retirement System
is hereby authorized, a copy of said amendment being attached hereto, marked
"Exhibit A", and by such reference made a part hereof as though herein set out
in full.

Section 2.

The _____ of the
(Title of Presiding Officer)
_____ is hereby authorized, empowered,
(Name of Governing Body)
and directed to execute said amendment for and on behalf of said Agency.

Section 3.

This Ordinance shall take effect _____ days after the date of its
adoption, and prior to the expiration of _____ days from the passage thereof
shall be published at least _____ in the
_____, a newspaper of general circulation,
(Name of Newspaper)
published and circulated in the _____ and
(Name of City or County)
thenceforth and thereafter the same shall be in full force and effect.

Adopted and approved this _____ day of _____, 19____.

Attest:

(Presiding Officer)

Clerk

CITY COUNCIL

DAVID M. HINCHMAN, Mayor
JAMES W. PINKERTON, Jr.
Mayor Pro Tempore
PHILLIP A. PENNINO
JACK A. SIEGLOCK
JOHN R. (Randy) SNIDER

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 334-5634
FAX (209) 333-6795

THOMAS A. PETERSON
City Manager
ALICE M. REIMCHE
City Clerk
BOB McNATT
City Attorney

January 18, 1991

Ms. Cynthia L. Wiegman
Retirement Specialist
Public Agency Contract Services
P.O. Box 942709
Sacramento, CA 94229-2709

Employer Code #0626

Dear Ms. Wiegman:

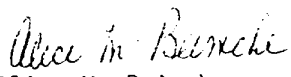
Pursuant to instructions set forth in your November 29, 1990 letter, we are forwarding the following documentation pertaining to amendments to our agency's contract to provide Section 213.82.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous members and local safety members and Section 20024.2 (One-year Final Compensation) for local fire members only.

1. Certified copy of Resolution of Intention No. 90-195 adopted by the Lodi City Council on December 19, 1991.
2. Certified copy of Governing Body's Action (Con-12).
3. Certification of compliance with Government Code Section 7507 (Con-12A) (Certified Copy).
4. Two executed copies of agreement authorizing the release of 1959 Survivor Benefits Assets and Liabilities.
5. Certified copy of Ordinance No. 1504 entitled, "An Ordinance of the Lodi City Council Repealing in Its Entirety, Ordinance No. 1473 Entitled, 'An Ordinance of the City Council of the City of Lodi Authorizing an Amendment to the Contract Between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System', Thereby Amending Lodi Municipal Code Chapter 2.48", which was introduced by the City Council on December 19, 1990 and adopted on January 16, 1991.
6. Certified copy of Ordinance No. 1505 entitled, "An Ordinance of the City Council of the City of Lodi Authorizing an Amendment to the Contract Between the City Council of the City of Lodi and the Board of Administration of the California Public Employees' Retirement System, Thereby Amending Lodi Municipal Code Chapter 2.48", which was introduced by the City Council on December 19, 1990 and adopted on January 16, 1991.

Ms. Cynthia L. Wiegman
Public Agency Contract Services
January 18, 1991
Page Two

If any additional information is required or if you have any questions regarding this matter, please do not hesitate to call this office.

Very truly yours,


Alice M. Reimche
City Clerk

AMR/jmp

Enclosures

RESOLUTION NO. 90-195

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RESOLUTION OF INTENTION TO APPROVE
AN AMENDMENT TO CONTRACT BETWEEN THE
BOARD OF ADMINISTRATION OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE CITY COUNCIL OF THE CITY OF LODI

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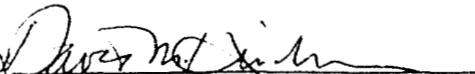
WHEREAS, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

WHEREAS, one of the steps in the procedure to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

WHEREAS, the following is a statement of the proposed change:

To provide Section 21382.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous members and local safety members and Section 20024.2 (One-Year Final Compensation) for local fire members only.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the above agency does hereby give notice of intention to approve an amendment to the contract between the said governing body and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment being attached hereto, as an "Exhibit" and by this reference made a part hereof.

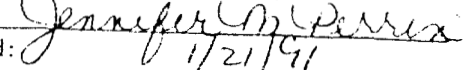
By 
David M. Hinchman

Mayor, City of Lodi

Dated: December 19, 1990

The Foregoing Document Is Certified
To Be A Correct Copy Of The Original
On File In This Office.

Jennifer M. Perrin
Deputy City Clerk, City Of Lodi

By 
Dated: 1/21/91

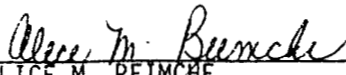
90-195

RES90195/TXTA.02J

Public Employees' Retirement System
Public Agency Contract Services
Contract Services Division - Section 220
Post Office Box 942709
Sacramento, CA 94229-2709
Telephone (916) 326-3420
326-3000 (Telecommunications
Device for the Deaf)

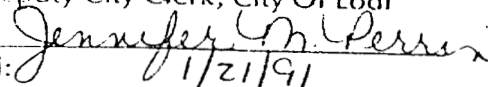
CERTIFICATION OF GOVERNING BODY'S ACTION

I hereby certify that the foregoing is a true and correct copy of
a Resolution adopted by the City Council of the City of Lodi on
December 19, 1990.



ALICE M. REIMCHE
CITY CLERK

The Foregoing Document Is Certified
To Be A Correct Copy Of The Original
On File In This Office.

Jennifer M. Perrin
Deputy City Clerk, City Of Lodi
By 
Dated: 1/21/91

RES90195/TXTA.02J

Public Employees' Retirement System
Public Agency Contract Services
Contract Services Division - Section 220
Post Office Box 942709
Sacramento, CA 94229-2709
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Device for the Deaf)

**CERTIFICATION OF COMPLIANCE WITH
GOVERNMENT CODE SECTION 7507**

I hereby certify that in accordance with Section 7507 of the Government Code the future annual costs as determined by the System Actuary and/or the increase in retirement benefit(s) have been made public at a public meeting by the City Council of the City of Lodi, CA
(governing body) (public agency)
at least two weeks prior to the adoption of the final Ordinance/Resolution.

Date: 1/18/91

Alice M. Brumby
original signature

City Clerk
official title

The Foregoing Document Is Certified
To Be A Correct Copy Of The Original
On File In This Office.

Jennifer M. Perrin
Deputy City Clerk, City Of Lodi
By Jennifer M. Perrin
Dated 1/21/91

AGREEMENT
AUTHORIZING THE RELEASE OF
1959 SURVIVOR BENEFITS ASSETS AND LIABILITIES
INTO THE
THIRD LEVEL 1959 SURVIVOR BENEFIT POOL
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF LODI

WHEREAS, the City Council of the City of Lodi has adopted a Resolution of Intention to include in its contract with the Board of Administration, Public Employees' Retirement System, pursuant to Government Code Sections 21380-21387, including Government Code Section 21382.4, the Third Level of 1959 Survivor Benefits for local miscellaneous members and local safety members; and

WHEREAS, Government Code Section 21382.4, requires all assets and liabilities of all contracting agencies subject to this section, and their employees who are covered by this section, to be pooled into a single account;

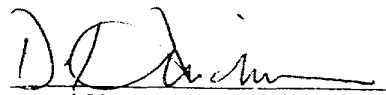
NOW THEREFORE BE IT AGREED:

Accumulated and/or future contributions required of the City of Lodi and its covered employees are to be released, pursuant to the provisions of Government Code Section 21382.4, to a single account referred to herein as the Third Level 1959 Survivor Benefits Pool.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

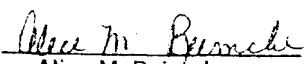
CITY COUNCIL
OF THE
CITY OF LODI

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY 
Presiding Officer

Date 1/18/91

C0505 (Rev. 4/89)

Attest: 
Alice M. Reimche
City Clerk

* * * C O P Y * * *

AMENDMENT TO CONTRACT
BETWEEN THE
BOARD OF ADMINISTRATION
OF THE
PUBLIC EMPLOYEES' RETIREMENT SYSTEM
AND THE
CITY COUNCIL
OF THE
CITY OF LODI

PLEASE DO NOT SIGN "EXHIBIT ONLY"

The Board of Administration, Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of above public agency, hereinafter referred to as Public Agency, having entered into a contract effective June 1, 1966, and witnessed April 27, 1966, and as amended effective May 1, 1970, July 1, 1973 and July 1, 1977, which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

- A. Paragraphs 1 through 12 are hereby stricken from said contract as executed effective July 1, 1977, and hereby replaced by the following paragraphs numbered 1 through 13 inclusive:
1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 60 for local miscellaneous members and age 50 for local safety members.
 2. Public Agency shall participate in the Public Employees' Retirement System from and after June 1, 1966 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
 3. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
 - a. Local Fire Fighters (herein referred to as local safety members);
 - b. Local Police Officers (herein referred to as local safety members);
 - c. Employees other than local safety members (herein referred to as local miscellaneous members).

* * * C O P Y * * *

4. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

- a. PERSONS COMPENSATED ON AN HOURLY BASIS WHO
ARE HIRED JUNE 1, 1966 OR THEREAFTER; AND
b. ELECTIVE OFFICIALS.

Assets heretofore accumulated with respect to members in the local retirement system have been transferred to the Public Employees' Retirement System and applied against the liability for prior service incurred thereunder. That portion of the assets so transferred which represent the accumulated contributions (plus interest thereof) required of the employees under said local system has been credited to the individual membership account of each such employee under the Public Employees' Retirement System.

6. The percentage of final compensation to be provided for local miscellaneous members for each year of credited prior and current service shall be determined in accordance with Section 21251.13 of said Retirement Law, subject to the reduction provided therein for service prior to June 30, 1977, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 60 Full and Modified).
7. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member shall be determined in accordance with Section 21252.01 of said Retirement Law (2% at age 50 Full).
8. Public Agency elected to be subject to the following optional provisions:
- a. Section 21361.5 (Local System Service Credit Included in Basic Death Benefit).
- b. Section 21222.1 (Special 5% Increase - 1970). Legislation repealed said Section effective January 1, 1980.
- c. Sections 21263 and 21263.1 (Post-Retirement Survivor Allowance) for local miscellaneous members only.
- d. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.4 (Third Level of 1959 Survivor Benefits) for local safety members only.
- e. Sections 21380-21387 (1959 Survivor Benefits) including Section 21382.2 (Increased 1959 Survivor Benefits) and Section 21382.4 (Third Level of 1959 Survivor Benefits) for local miscellaneous members only.

PLEASE DO NOT SIGN "EXHIBIT ONLY"

* * * C O P Y * * *

- f. Section 21238 (Improved Non-Industrial Disability Allowance) for local miscellaneous members only.
- g. Section 20024.2 (One-Year Final Compensation) for local fire members only.
9. Public Agency, in accordance with Government Code Section 20740, ceased to be an "employer" for purposes of Section 20759 effective on July 1, 1977. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20759, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20759.
10. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
11. Public Agency shall also contribute to said Retirement System as follows:
- a. Public Agency shall contribute \$2.50 per employee, per month on account of the liability for the 1959 Survivor Benefits provided under Section 21382.4 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local safety members.
 - b. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
 - c. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.
12. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.

PLEASE DO NOT SIGN EXHIBIT ONLY

*** COPY ***

13. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the _____ day of _____, 19____.

BOARD OF ADMINISTRATION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL
OF THE
CITY OF LODI

BY _____
CHIEF, CONTRACT SERVICES DIVISION
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY _____
Presiding Officer

Witness Date

Attest:

Clerk

PERS-CON-702 (AMENDMENT)
(Rev. 6/88)

PLEASE DO NOT WRITE ON THIS DOCUMENT

PLEASE DO NOT WRITE ON THIS DOCUMENT